

EX PARTE OR LATE FILED

CLARK COMMUNICATIONS INC.  
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Office of Secretary  
Federal communications commission  
1919 M street, N.W.  
Washington D.C. 20054

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Re: ExParte comments in PR docket 93-144

SEP 18 1993

Dear Sir or Madam:

I am the owner of Clark's Communications. I also have the title of FCC coordinator for Northwest Wireless Network and a board member of SMRWON. I am constantly in contact with SMR dealers throughout the nation. I am submitting my feelings and what I judge to be the feelings of most SMR dealers in the nation.

I was the happy and successful owner of an SMR business in Lewiston, Idaho. The FCC opened the 800 band with all its inter-connects and dispatch possibilities to small entrepreneurs, like myself. Most of us were doing great until the super highway, wide area and auctions came rolling in with their much hoopula.

There has been nothing but bad news for traditional SMR dealers since the tidal wave rolled into Washington DC. Operators, like myself, have spend 45 years being regulated by the FCC and never have I heard such bitterness expressed by operators at the way the FCC is opening all the doors to big money interests and slamming every door in the face of small businesses. We are convinced that the new FCC, unlike the old FCC, will not be satisfied until they have destroyed the backbone of the nations present communications system.

We are not complaining about potential competition nor the ushering in of new technology. Our millions of users, and we, cannot understand how it makes any sense to slam the brakes on a system that is keeping this country alive and well today.

It is costing us millions of dollars and putting our customers in real jeopardy because we cannot get channels. Therefore, communications are beginning to jam, customers are getting mad, and we are very upset that you would treat us this way after all the years we have worked together to build the communications industry.

In my area of Lewiston, Idaho I played by the rules and therefore was only allowed to acquire ten channels. Wide area speculators were given special opportunities and rules which allowed them to come in and clean out the channel banks. They have approximately 300 channels in my area. It looks to us as though the information highway was paved for wide area operators. As this process was going on I was being detoured onto a dead end street. I have hundreds of users on my system. The Lewiston communications backbone is about to be shattered unless I am given the opportunity to acquire more channels. My customers are complaining because the channels are getting overloaded. SMR communications has proved itself to be the best and cheapest for my hundreds of users. I feel like you don't care about the serious problems that our people are facing. We are suffering because wide area operators have not been restrained to share the nations public channels with the SMR's who constitute the vital communications for millions of users. All this pain for my users while wide area operators have far more channels than they need. This is a sample of what is happening over all the rural areas of the nation. If there was some fair play,

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new rules from the FCC would force wide area operators to preserve the nations present communication system.

You should defuse the anger of SMR operators before it turns into a fire storm. It would only take a few channels and a fair chance to compete with wide area providers. Level the playing field and let competition, not government, decide who can serve the best interest of the people.

It is not necessary, nor does it make sense, to destroy our present system before we have had a chance to see if the new super systems will even work or be affordable. This foolish mismanagement of the nations airwaves is a violation of the public trust. The public interest is not being served. The old communications backbone should be immediately nourished with enough channels to restore its health and keeping America moving until something better has proven itself worthy to take over.

Most dealers are convinced that you want us out of the way. They feel you want to sell the nations airwaves to the highest bidder and that the peoples interest and the small businesses be damned. They feel you desire to cut off his channels, auction off his coverage area, that he built with sweat and tears, and give it to the highest bidder. I never thought I would live to see the day that such an injustice would be proposed in this the LAND OF THE FREE, where the constitution declares liberty from oppressors and JUSTICE FOR ALL!

Auctions may make sense for large blocks of new spectrum. The idea of auctioning off the established communications backbone of the nation is unthinkable until a replacement system has been proven to be in the best interest of the public. If the time comes to destroy existing SMR's they should be paid for the true value of their businesses and not first be cut off from their airwaves and then allowed to wither on the vine.

If incumbents were being analyzed I think you would find that they would always play an important role in serving the needs of millions of users. If you survey what they have done in tailoring specialized communications for large and small companies you will see that there is no replacement for these services rendered. Unless you take a look at the diverse needs of individual users you cannot understand how valuable a role SMR dealers play in keeping this nations industry moving forward. When you slow up this process you do the nation great harm.

I recommend that before you rush into the auction process that you first release a few channels to SMRS who deserve to be given hope that you care about their survival. If there is no justice for them I fear they will bring endless problems to you as they fight to save years of toil from going down the drain.

Sincerely,

  
Eldy G. Clark